

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>William Branch</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 1:CV 00-1728</b>
<b>v.</b>	:	
	:	<b>(Judge Rambo)</b>
<b>CO Russian, et al.</b>	:	
<b>Defendants</b>	:	
	:	<b>ELECTRONICALLY FILED</b>

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants, Martin Horn, Raymond Colleran, Julie Suchy, Barry Karwowski, Martin Walsh, William Gagas, Christina Wilbur, Wayne Gavin, Timothy Welling, Milton Friedman, Richard Russian, Carol Surace, Elaine Martin, Kim Griffiths, David Gorman, Neil Heffernan, Christopher Jones, Ronald Richards, Edward Burke, Emanuel Patterson and Joseph Scalzo by their attorneys, hereby move the Court pursuant to Fed. R. Civ. P. 56 for summary judgment in their favor because the pleadings are closed, there is no genuine issue of material fact and they are entitled to judgment as a matter of law.

A supporting brief and other materials are being filed concurrently with this motion.

WHEREFORE, defendants ask the Court to grant their motion and enter summary judgment in their favor.

**Respectfully submitted,**

**GERALD J. PAPPERT**  
**Acting Attorney General**

**By: s/GWENDOLYN T. MOSLEY**  
**GWENDOLYN T. MOSLEY**  
**Senior Deputy Attorney General**

**SUSAN J. FORNEY**  
**Chief Deputy Attorney General**  
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**OFFICE OF ATTORNEY GENERAL**  
**15<sup>th</sup> Floor, Strawberry Square**  
**Harrisburg, PA 17120**  
**717-787-8106**

**DATE: December 31, 2003**

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MIDDLE DISTRICT OF PENNSYLVANIA**

<b>William Branch</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 1:CV 00-1728</b>
<b>v.</b>	:	
	:	
<b>CO Russian, et al.</b>	:	<b>(Judge Conner)</b>
<b>Defendants</b>	:	
	:	<b>ELECTRONICALLY FILED</b>

**CERTIFICATE OF SERVICE**

I, **GWENDOLYN T. MOSLEY**, Senior Deputy Attorney General  
for the Commonwealth of Pennsylvania, Office of Attorney General, hereby  
certify that on **December 31, 2003**, I caused to be served a true and correct copy  
of the foregoing document **Defendants' Motion for Summary Judgment**, by  
depositing it in the United States mail, first-class postage prepaid to the following:

**William Branch, CF-3756  
SCI-Waymart  
P.O. Box 256  
Waymart, PA 18472**

**s/GWENDOLYN T. MOSLEY  
GWENDOLYN T. MOSLEY  
Senior Deputy Attorney General**